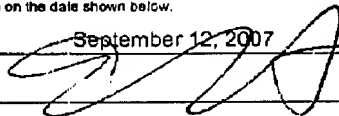
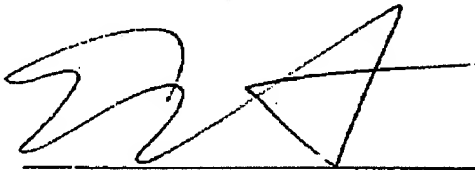


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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) C4-971A (336-20)	
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Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request. This request is being filed with a notice of appeal. The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.			
I am the <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/98) <input checked="" type="checkbox"/> attorney or agent of record. 46,247 Registration number _____ <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____		 _____ Signature <u>Evan Reno Sotiriou</u> Typed or printed name <u>314-584-4082</u> Telephone number <u>September 12, 2007</u> Date	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.			
<input type="checkbox"/> *Total of _____ forms are submitted.			

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*Transmitted Via Facsimile to (571) 273-8300*PATENT
C4-971A (23336-20)**REMARKS**

In a Final Office Action dated March 12, 2007, the Examiner rejected claims 28-55, which are all of the pending claims in the present application. Applicants filed a Request for Reconsideration on May 14, 2007. An Advisory Action was mailed May 29, 2007 in which the Examiner indicated that all issues raised in the Request for Reconsideration had been sufficiently addressed by the Final Office Action. Applicants respectfully submit that all presently pending claims are allowable over the prior art cited by the Examiner.

Each and every outstanding rejection relies on Randall (U.S. Patent 6,727,938) as the sole or primary reference. Specifically, claims 28-30 and 40-45 were rejected under 35 U.S.C. § 102(e) as being anticipated by Randall. Dependent claims 31-39 and 46-54 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Randall in view of Kageyama (U.S. Patent 5,552,823). Applicants submit that the Randall reference fails to establish a prima facie case of anticipation and lacks at least one inventive element of the claims. Applicants request that the outstanding rejections be reversed.

The Examiner has asserted that the independent claims (claims 28, 40 and 43) are anticipated by Randall. The Examiner argues that Randall clearly discloses at least two different types of control zones. "The first being the 'tracking zone' which is monitored for movement and is selected by default (Randall col. 4 lines 26-58 note unless otherwise specified the entire field of view is monitored). The second being the blocking, or black-out, zone (Randall fig. 2B and col. 4 line 59 to col. 5 line 17). A user can then select a region to use one control zone type or the other by creating or modifying a mask for the particular view (Randall Col. 7 lines 4 to 49)." (Final Office Action, pages 6-7). The Examiner then concludes that because the images of Randall "can be subject to at least two separate types of processing based on defined zones the examiner believes that Randall discloses selectable control zone type." (Final Office Action, page 7).

Independent claims 28 and 43 each recite "receiving indication of a tracking zone within the field of view." As defined in the Office Action, the field of view in Randall is the tracking zone and accordingly is the same area. Thus, it is not possible to receive an indication of a tracking zone *within* the field of view because these two areas are the same in Randall. The tracking zone of Randall encompasses the entire field of view and

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therefore is not within the field of view. The omission of this element from Randall is made even more evident when Randall is compared, for example, to Figure 2 of the application as filed and the accompanying description in the specification at pages 5-7. The difference clearly evidences the Examiner's omission of this element needed to support a prima facie rejection.

Moreover, using the rationale of the Examiner, the field of view in Randall defines the tracking zone and then a blocking or black-out zone may be selected within the field of view that is being monitored. Accordingly, a zone is defined within a viewing area, namely the field of view. Thus, two distinct areas are provided (i.e., the blocking or black-out zone that defines the tracking zone within the entire field of view). In contrast, claims 28 and 43 add a further distinct area such that three distinct areas are provided. Specifically, independent claims 28 and 43 each recite "displaying motion video data representative of the field of view of the motion video camera", "receiving indication of a tracking zone within the field of view" and "receiving indication of a selected region within the tracking zone having a selectable control zone type." Accordingly, in these claims the first distinct area is the field of view that displays the view of the motion video camera, the second distinct area is the tracking zone indicated *within* the field of view and the third distinct area is the selected region indicated *within* the tracking zone and having a selectable control zone type. As admitted by the Examiner, Randall only includes two distinct areas, the tracking zone defined by the field of view (which is necessarily determined by default and not adjustable or selectable) and the blocking or black-out zone *within* the tracking zone. The Randall reference itself also supports this description of a security system with only two distinct areas, which is not the same as the three distinct areas that are recited in claims 28 and 43 wherein a tracking zone is indicated *within* a field of view and a selected region is indicated *within* the tracking zone. This additional level of monitoring control is simply not present in Randall. This further difference also clearly evidences the Examiner's omission of this element needed to support a prima facie rejection.

Independent claim 40 recites a system for defining control zones of different types in a field of view of a motion video camera comprising "means for defining a plurality of

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control zones in a selected area of the field of view of the motion video camera, said control zones being of a type selected from said plurality of control zone types in said database and defining a tracking behavior for the control zone.” Randall also lacks at least one element of the system recited in claim 40.

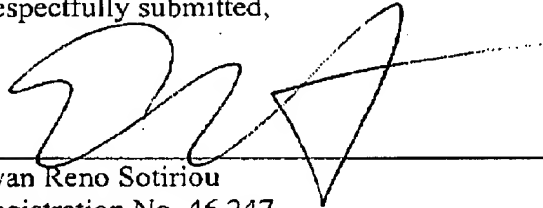
As discussed above with respect to claims 28 and 43, although within the field of view of the Randall, masked regions may be defined where processing, namely monitoring, is blocked, and regions within the field of view outside the masked regions monitoring is performed, the system of Randall lacks the capability to define *different types* of regions within *selected areas* of the field of view. The selected areas within the field of view (i.e., the areas within the tracking zone as defined in the Office Action) of Randall are *only* masked regions that block the monitoring. The type of zone for these selected regions cannot be changed. In contrast, as recited in claim 40, the plurality of control zones within the selected area of the field of view may be *selected* from a *plurality* of control zone types. Randall provides only one control zone type within the field of view, namely the blocking/black-out zone. This difference evidences the Examiner’s omission of this element needed to support a prima facie rejection.

The dependent claims are likewise allowable based at least on the dependency of the dependent claims from the independent claims.

In view of the foregoing, Applicants submit that the Examiner has failed to support the rejection of the pending claims and the primary reference lacks at least one element of the claims. Thus, it is respectfully submitted that the pending claims define allowable subject matter over the cited art and reversal of the outstanding Office Action is respectfully requested.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Evan Reno Sotiriou', written over a horizontal line.

Evan Reno Sotiriou

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